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Attorneys for Plaintiff GS Capital Partners LLC

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

GS CAPITAL PARTNERS LLC, a New York
limited liability company,

Plaintiff,

v.

BLACKSTAR ENTERPRISE GROUP, INC., a
Delaware limited liability company, and DOES
I through X, inclusive, and ROE
CORPORATIONS I through X, inclusive,

Defendants.

Case No.: 2:23-cv-01903-APG-EJY

**STIPULATION AND JOINT MOTION
TO REMAND**

The parties, Plaintiff GS Capital Partners LLC (“Plaintiff”) and Defendant Blackstar Enterprise Group, Inc. (“Defendant”), by and through undersigned counsel, hereby stipulate and jointly move to remand the above-captioned action to the Eighth Judicial District Court, Clark County, Nevada. In support of this Stipulation, the parties state as follows:

1. Plaintiff commenced this action *GS Capital Partners LLC v. Blackstar Enterprise Group, Inc.*, Case No. A-23-881099-B in the Eighth Judicial District Court, County of Clark, Nevada on November 6, 2023 (“State Court”).

2. The State Court issued a temporary restraining order on November 9, 2023 (“TRO”) and scheduled a hearing on Plaintiff’s motion for preliminary injunction for November 27, 2023 (“PI Hearing”).

1 3. Defendant removed this action to the U.S. District Court for the District of Nevada
2 on November 17, 2023, (ECF No. 1), based on diversity pursuant to 28 U.S.C. §§ 1332, 1441, and
3 1446.

4 4. In light of the removal, in the morning of November 21, 2023, the State Court
5 canceled the PI Hearing.

6 5. Counsel for Plaintiff subsequently notified counsel for Defendant of citizenship for
7 all entities that are members of GS Capital Partners LLC. Prior to this notification, neither
8 Defendant nor Defendant's counsel was aware of the member or their related citizenship.

9 6. Parties hereby stipulate to remand back to State Court because diversity is lacking
10 under 28 USC 1332.

11 7. Consistent with the State court's prior order, and without waiver by either party to
12 challenge, modify, or seek additional rights, the parties stipulate that the TRO shall remain in
13 place until the PI Hearing is held.

14 8. Parties stipulate to request that the PI Hearing before the State Court be re-set for
15 the original hearing date to avoid any delay.

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IT IS HEREBY STIPULATED AND AGREED

Dated this 21st day of November, 2023

Dated this 21st of November, 2023

By: /s/ Maximilien D. Fetaz
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ORDER

IT IS SO ORDERED:



UNITED STATES DISTRICT JUDGE

DATED: __ November 21, 2023 __